



U.S. Department of Justice

United States Attorney
Southern District of New York

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New York, New York 10007

April 21, 2020

BY EMAIL

Brian Heberlig
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Re: *United States v. Ali Sadr Hashemi Nejad*, 18 Cr. 224 (AJN)

Dear Mr. Heberlig:

We write in further response to your post-trial communications, including communications dated March 24, April 1, April 8, and April 13, 2020.

First, as noted previously, in response to your post-trial communications, members of the prosecution team have reviewed files at the U.S. Attorney's Office for the Southern District of New York ("SDNY"), the New York County District Attorney's Office ("DANY"), and the FBI, and communicated with people outside the prosecution team. We confirm that our review was not limited to questions raised in the "examples" in your correspondence. During the course of the review, and continuing with this submission, we have provided you with documents and other materials as a courtesy. We have done so without conceding that the documents and materials were or are discoverable, we reiterate that reservation here, and we will address any arguments to the contrary in connection with the post-trial briefing schedule set by the Court.

Second, in response to your April 8, 2020 request, attached as Exhibits A and B are the two documents referenced in one of the 302 reports of Individual-1's interviews, which are dated January 7, 2012 and August 31, 2012.¹

Third, in response to your April 13, 2020 inquiries regarding Exhibit Q to the Government's April 13, 2020 letter, none of the materials referred to or transmitted by Special Agent Pond in her March 27, 2020 email are discoverable. The reports attached to Special Agent

¹ Because the 302 reports of Individual-1's interviews are confidential, and because Exhibit A relates to a separate investigation, please handle these documents as confidential under the protective order.

Enclosures